

EXHIBIT E

Rent Overcharge Application



Confirmation:

Confirmation Number: **D132675B**

Building Address:

Building Registration Number: **139938**

Building Address: **4 E 107TH ST NEW YORK NY 10029**

Rental Information:

Is this your current mailing address? **Yes**

My apartment is: **Rent Stabilized**

When did you move into your apartment? **03/01/2003**

I live in a co-op apartment/ condominium: **No**

Do you have Senior Citizen Rent Increase Exemption (SCRIE)? **No**

Do you have Disability Rent Increase Exemption (DRIE)? **No**

Do you have Section 8 benefits? **No**

Did you sign a lease at the start of the rental agreement? **Yes**

Written lease period: **03/01/2003 to 02/28/2004**

Number of years of the lease term: **1**

Written lease amount: **\$769.00**

My current rent is: **\$3,700.00**

Is electricity included in your rent? **Yes**

Applicant Information:

Select the option that applies to you: **Tenant**

Name of Applicant: **Mark Haynes**

Apartment Number: **15B**

Phone Number: **(917) 498-0646**

Email Address: **quellb1@icloud.com**

Confirmation Email Address: **quellb1@icloud.com**

Tenant Type: **Prime Tenant**

Owner Information:

Name of Owner **6th & 106th Street Associates LP**

Address of Owner: **4 East 107th Street New York NY 10029**

Phone Number of Owner: **(212) 427-0800**

Complaint Information:

I am filing a Rent Overcharge complaint for the following date range: **01/01/2003 to 12/31/2019**

Major Capital Improvement (MCI) Increase(s): **N/A**

Rent Reduction Order(s): **N/A**

Individual Apartment Improvements(IAI): **N/A**

Illegal Fees and/or Surcharges: **Yes**

Other: **Yes**

Parking Charges: **N/A**

Missing Apartment Registrations: **Yes**

Excessive Security Deposit: **N/A**

Additional Information:

See attached statement

Has the complaint in this application been raised in court? **No**

Rental History Information:

Start Date	End Date	Monthly Rent	Monthly Rent Paid
10/01/2018	09/30/2019	\$1,905.00	\$1.00
07/01/2015	06/30/2016	\$893.00	\$1.00
09/01/2014	08/31/2015	\$893.00	\$1.00
07/01/2011	06/30/2012	\$893.00	\$1.00

Rental Payments:

Month	Amount
2021-03	\$0.00
2021-02	\$0.00
2021-01	\$0.00
2020-12	\$0.00
2020-11	\$0.00
2020-10	\$0.00
2020-09	\$0.00
2020-08	\$0.00
2020-07	\$0.00
2020-06	\$0.00
2020-05	\$0.00
2020-04	\$0.00
2020-03	\$0.00
2020-02	\$0.00
2020-01	\$0.00
2019-12	\$1,905.00
2019-11	\$1,905.00
2019-10	\$1,905.00

2019-09	\$1,905.00
2019-08	\$1,905.00
2019-07	\$7,600.00
2019-06	\$0.00
2019-05	\$0.00
2019-04	\$1,900.00
2019-03	\$1,900.00
2019-02	\$1,900.00
2019-01	\$1,905.00
2018-12	\$0.00
2018-11	\$1,091.00
2018-10	\$1,091.00
2018-09	\$1,091.00
2018-08	\$1,091.00
2018-07	\$1,091.00
2018-06	\$1,091.00
2018-05	\$1,091.00
2018-04	\$1,091.00
2018-03	\$1,091.00
2018-02	\$1,091.00
2018-01	\$1,091.00
2017-12	\$1,091.00
2017-11	\$1,091.00
2017-10	\$1,091.00
2017-09	\$1,091.00
2017-08	\$1,121.00
2017-07	\$1,091.00
2017-06	\$1,091.00
2017-05	\$1,091.00
2017-04	\$1,091.00
2017-03	\$1,091.00
2017-02	\$1,121.00
2017-01	\$0.00
2016-12	\$1,091.00
2016-11	\$1,091.00
2016-10	\$1,091.00
2016-09	\$0.00
2016-08	\$1,091.00
2016-07	\$2,044.00
2016-06	\$894.00
2016-05	\$893.00
2016-04	\$923.00
2016-03	\$0.00
2016-02	\$1,846.00

2016-01	\$1,091.00
2015-12	\$922.00
2015-11	\$893.00
2015-10	\$893.00
2015-09	\$1,517.00
2015-08	\$893.00
2015-07	\$893.00
2015-06	\$893.00
2015-05	\$893.00
2015-04	\$3,871.00
2015-03	\$0.00

Attachment Information:

HOMES AND COMMUNITY RENEWAL COMPLAINT STATEMENT-converted.pdf	9732 Bytes	Other
EXHIBIT D.pdf	2947815 Bytes	Proof of Payments
EXHIBIT E.pdf	2976733 Bytes	Proof of Payments
EXHIBIT F.pdf	3480366 Bytes	Proof of Payments
EXHIBIT G.pdf	3047731 Bytes	Proof of Payments
EXHIBIT H.pdf	2567130 Bytes	Proof of Payments
EXHIBIT I.pdf	2722696 Bytes	Proof of Payments
EXHIBIT J.pdf	1093715 Bytes	Other
EXHIBIT K.pdf	613792 Bytes	Other
EXHIBIT L.pdf	2538945 Bytes	Other
EXHIBIT A.pdf	4302156 Bytes	Leases
EXHIBIT B.pdf	4713789 Bytes	Leases
EXHIBIT C.pdf	4589024 Bytes	Leases

Affirmation:

I have read the information entered on this application and I affirm that this application, to the best of my knowledge, information and belief, is true, accurate and complete. I understand and agree that the entry of my name below by electronic means constitutes my signing and filing this application. I further affirm that I am the tenant of the subject premises, or that I am the authorized representative of the tenant of said premises and that I am authorized to sign and file this application with the New York State Division of Housing and Community Renewal.

I further understand that making a false statement herein, knowing such statement to be false, and/or offering such false statement for filing are each class A misdemeanors pursuant to the Penal Law of the State of New York (sections 210.45 and 175.30).

Name of Affirming Individual: **Mark Haynes**

Date: **03/23/2021**

Your transaction is complete. **Please print this receipt for your records.**

As there may be a subsequent dispute as to whether this filing was made, you are advised to obtain and keep evidence of this filing with DHCR, such as a copy of this receipt with the confirmation number.

- This filing will be assigned a DHCR docket number and an electronic copy of this filing will be retained by DHCR.
- You will receive written acknowledgement from DHCR that references the assigned docket number.

**HOMES AND COMMUNITY RENEWAL
RENT OVERCHARGE APPLICATION
FOR MARK HAYNES, TENANT
4 EAST 107TH STREET, 15B, NY, NY 10029**

Additional Information:

1. I, Mark Haynes, am the primary tenant and occupant of the referenced apartment since 2003, also known as the Lakeview Apartments, a low income housing development in Harlem.
2. Additional occupants in the unit since 2003 include my two daughters, Cydney and Courtney, who are now 17 and 14 years old respectively and their caretaker. My children were literally born and raised at the Lakeview Apartments
3. My rent is determined and subsidized by the Housing and Urban Development (HUD). I am required to submit income documentation annually (re-certify) to determine my rent rate.
4. The following are the rent rates that I was assessed over the 18 years: 2003 - 2009 - **\$769**; 2009 - 2018 - **\$893**; 10/1/2018 - 9/30/2019 - **\$1905**; 10/1/2019 - present - **\$3770**
5. Due to your Complaint guidelines I can only due a six year look back. I have started with the last year that I have paid rent, 2019 - 2013. Unfortunately, I was could only find three (3) leases - 9/1/2014- 8/31/2015; 7/1/2015 - 6/30/2016 (NOTE: commencement date should have been 9/1/2016); 10/1/2018 - 9/30/2019. The former 2 leases were renewed at the same rent rate of \$893. See **EXHIBIT A - C**
6. I have provided cancelled checks for rent payments for the following years: 2019; 2018; 2017; 2016; 2015; & 2014. See **EXHIBIT D - I**. I have requested the bank to retrieve my 2013 bank statements from their archives, if possible.
7. Although I believe that there has been a historical pattern of being charged unnecessary fees and surcharges, my complaint focuses on the six(6) year look back
8. During the period 2013 - 2017 my rent rate was \$893 however management was charging nearly an additional \$200 in fees.
9. In 2018 my income increased and upon recertification the rate doubled to \$1905. I paid it.
10. At the conclusion of my last lease (9/30/2019), I was late in submitting my recertification papers. When I received my tax return from my tax preparer I went to submit to the management office and they refused to accept it and I was told that I am no longer eligible to recertify for rent relief.
11. Management has refused to give me a lease and has been charging me \$3700 for rent. I stopped paying rent, at the last lease rate, after 12/1/2019. My income has subsequently gone down in 2019 and 2020. Management refuses to recertify me.
12. On or about February 15, 2020 I was served with a 14 Day Notice to Commence Eviction Proceedings which stated that I owe **\$29,335** in rent arrears. See **EXHIBIT J**. I was never served with a Notice of Petition or Petition for non payment through the Court.

13. On or about February 16, 2021 I received another 14 Day Notice to Commence Eviction Proceedings which stated that I owe **\$74,827** in rent arrears. **EXHIBIT K**. I have not been served with a Notice of Petition or Petition for non payment through the Court.
14. Upon information and belief, Lakeview Apartments is subject to NYS Rent Stabilization Laws as per Fact Sheet #26. However, my apartment was never registered with DCHR until 2/1/2019 (RIGHT BEFORE THE 14 DAY NOTIVE WAS SERVED). The registration states that the market value on my two (2) bedroom apartment is **\$7400**. See **EXHIBIT L**

Therefore, I am respectfully requesting Homes and Community Renewal to review the documents I am submitting to determine if I am entitled to a rent recoupment. Future, I am requesting that you expedite your review due to the pending eviction that will likely proceed when the State moratorium is lifted.

Respectfully

Mark Haynes